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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,032	12/20/2001	Kaisa Kautto-Kiovula	4208-4030	2939

7590 06/13/2005

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New York, NY 10151-0053

EXAMINER
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NGUYEN, CAO H

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/028,032

Applicant(s)

KAUTTO-KIOVULA ET AL.

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03/24/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-96 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-96 are rejected under 35 U.S.C. 102(e) as being anticipated by Khavakh et al. (US Patent No. 6,678,611).

Regarding claim 1, Khavakh discloses a method for creating a node in a node map for a user interface in a computing device, comprising receiving a user instruction for initiating creation of the new node [..the user interface includes appropriate equipment allow end-user to input information into navigation system; see col. 4, lines 8-31]; receiving node information from the user [..The user interface includes appropriate equipment that allows the end-user to input information into the navigation system. This input information may include a request to use the navigation features of the navigation system; see col. 3, lines 47-61]; generating a new node with the received node information; and listing the new node in a node list [the map data and segment data. Node data represent physical locations in the geographic region and segment data represent by nodes; see col. 4, lines 40-62].

Regarding claim 2, Khavakh discloses further comprising creating an edge from the new node to a parent node, wherein said parent node is origination point for the new node (see col. 21, lines 18-35).

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Regarding claim 3, Khavakh discloses adding information regarding the created edge to an edge list (see col. 21, lines 36-67).

Regarding claim 4, Khavakh discloses wherein the new node is named by a user (see col. 5, lines 18-58).

Regarding claim 5, Khavakh discloses determining existence of an information earlier node having node information identical to said new node, after said receiving node information (see col. 6, lines 26-45).

Regarding claims 6 and 7, Khavakh discloses, wherein said node information discloses node type of said new node having node information (see col. 7, lines 1-22).

Regarding claims 8 and 9, Khavakh discloses wherein said node e indicates the presence of an attachment associated with new node (see col. 8, lines 20 –50).

Regarding claims 11 and 12, Khavakh discloses, further comprising receiving content for attachment to said new node; and wherein said node type indicates presence of an action associated with new node (see col. 9, lines 1-67).

Regarding claims 13, Khavakh discloses, wherein said action is one of calling another human, printing, locating an object of interest, collaborating with others, text, chat and message (see col. 13, lines 8-61).

Regarding claims 14 and 15, Khavakh discloses wherein said node type indicates presence of an application associated with said new node (see col. 14, lines 1-56).

Regarding claims 16 and 17, Khavakh discloses wherein outlined entry is one of contact, recipe, time, location, and message (see col. 15, lines 1-38).

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Regarding claims 18 and 19, Khavakh discloses wherein deleting is initiated when the user selects said new node and makes a selection to delete new node is displayed on user interface (see col. 19, lines 10-40).

As claims 20-22 are analyzed as previously discussed with respected to claims 1-13 above.

Regarding claim 23, Khavakh discloses a first individual node and a second individual node; and a first node category and a second node category, said first node category comprising said list individual node therein and said second node category comprising said second individual node therein, said first individual node related to said first node category and said second individual node related to said second node category, wherein said first individual node is related to said second individual node such that a user accesses information in second individual node by beginning navigation from first individual node (see col. 23, lines 4-34).

Regarding claim 24, Khavakh discloses wherein the user accesses information in said first node category by beginning navigation from said first individual node, or the user accesses information in said second node category by beginning navigation from said second individual node (see col. 23, lines 35-59).

Regarding claim 25, Khavakh discloses wherein the user accesses information in first individual node by beginning navigation from said first node category, or the user accesses information in said second individual node by beginning navigation from said second node category (see col. 24, lines 38-62).

Regarding claim 26, Khavakh discloses wherein said first node category is related to said second node category, such that the user accesses information in said first node category by

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beginning navigation from said second node category, or the user accesses information in said second node category by beginning navigation from first node category (see col. 27, lines 19-57).

As claims 27-96 are analyzed as previously discussed with respected to claims 1-13 and 23-27 above.

### *Response to Arguments*

1. Applicant's arguments filed on 03/24/05 have been fully considered but they are not persuasive.

In response to applicant's argument that node is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the new node is the segment ID is compared to the segment ID in all the gates in the opposite tree whose associated nodes are the same as the target node of the new gate. (Gates are stored in lists indexed by the node ID of the associated node to facilitate this check).

On page 15 of the Remark; Applicant argue that Khavakh does not discloses or suggest "creating a new node in a node map, and listing the node in a new node in a node"; however, the limitations as claimed set forth to rely on "A solution route exists when a seed gate in one search tree corresponds to a seed gate (and thus the same segment) in the other search tree. After forming all the seed gates in one of the search trees, as each seed gate is formed in the other search tree, its segment ID (i.e., in data item 129) is compared to the segment ID in all the

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gates in the opposite tree whose associated nodes are the same as the target node of the new gate. (Gates are stored in lists indexed by the node ID of the associated node to facilitate this check). If a match is found, it is an indication of a complete path from origin to destination and a potential solution. If a solution route is found without expanding any of the seed gates, the solution route between the origin waypoint and the destination waypoint comprises a single road segment record. If a solution route is found at this stage, the destination is 'just down the block' from the origin. The solution route, consisting of a single segment record, is placed into a list of potential solution routes 500 (in FIG. 15). Assuming all criteria for further searching have been met, the potential solution route from the list 500 is stored in an output route object 60. This route output object 60 is provided to the navigation application 47 which in turn may provide it to another program (such as a maneuver generation program) in the navigation application program 18 from which instructions are provided to the end-user via the user interface; see col. 17, lines 15-62.

On page 16 of the Remark; Applicant argue that Khavakh does not disclose or suggest "initiating construction of a new node"; however, the limitations as claimed set forth to rely on "the navigation application 47 uses some or all of the information in navigation position objects 56 to create the waypoint objects 100. In one embodiment, a geocoding tool creates the navigation position objects 56 which are provided to the navigation application 47. The geocoding tool 90 may create the navigation position objects 56, in part, from information 57 provided to it from the navigation application 47. For example, this information 57 may include coordinates or other information derived from input from the end-user via the user interface 31 (of FIG. 1). This input information may include, for example, a street address, a point-of-

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interest, crossroad, or some other location representing a desired destination, or a desired intermediate location. The geocoding tool may also create a navigation position object 56 from information derived from the positioning system 14. This information from the positioning system 14 may also be provided to the geocoding tool 90 by way of the navigation application and may be used to create a navigation position object 56 that represents an origin of a route corresponding to a present position of the vehicle in which the navigation system 10 is located; see col. 8, lines 52-67.

On page 16 of the Remark; Applicant argue that Khavakh does not discloses or suggest “receiving a user instruction for initiating construction of a new node”; however, the limitations as claimed set forth to rely on “Waypoint objects may be temporary data structures, permanent structures, or semi-permanent structures. For example, permanent or semi-permanent waypoint objects may be stored in the non-volatile storage 16 (of FIG. 1) or even in the geographic database 30. The navigation system may allow an end-user to store favorite or commonly visited destinations and may provide for storage of waypoint objects 100 in the non-volatile memory 16 to represent these end-user selections. Waypoint objects may also be pre-formed and stored in the geographic database 30 for certain destinations. The delay 112 may be associated with an waypoint object that represents an intermediate waypoint. The delay 112 represents an amount of time to be spent at or in the vicinity of the intermediate waypoint. A value for the delay is specified in an input provided from the end-user via the user-interface 31 (of FIG. 1). The navigation application 47 associates this delay value with other information that represents the intermediate waypoint to form a waypoint object that represents the intermediate waypoint. For example, an end-user may desire a route between an origin and a



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destination which passes through an intermediate waypoint representing a restaurant location.

If the end-user plans to spend one hour at the restaurant, that hour would be the delay for the intermediate waypoint that represents the restaurant. The delay 112 of a waypoint object is an optional item of data; see col. 10, lines 5-64.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

### *Conclusion*

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

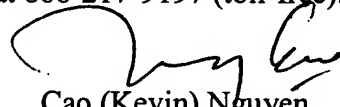
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen  
Primary Examiner  
Art Unit 2173

06/9/05